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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Nouri, et al.	Group Art Unit 2758
Appl. No.	:	08/942,333	
Filed	:	October 1, 1997	
For	:	SYSTEM FOR RESETTING A SERVER	
Examiner	:	Philip Tran	

DECLARATION UNDER 37 C.F.R. § 131 TO OVERCOME JOHNSON

1. This declaration is to establish the status of the invention in the above-captioned U.S. patent application in the United States on August 16, 1996, which is the effective date of U.S. Patent No. 5,857,074, entitled "Server Controller Responsive to Various Communication Protocols for Allowing Remote Communication to a Host Computer Connected Thereto", to Johnson, which was cited by the Examiner against the above-captioned application.

2. We are the named joint inventors of the described subject matter and all claims in the above-referenced application.

3. We have read the Office Action mailed January 26, 1999 (Paper No. 7) regarding the above-captioned application.

4. We developed our invention as described and claimed in the subject application in this country, as evidenced by the following events:

a. By at least November 1995, I, Karl Johnson, had conceived of a control diagnostic and monitor subsystem for a server system. A document, entitled "Raptor System: A Bird's Eye View, Version 0.99", was written at least as early as November 2, 1995, as evidenced by the document date. A copy of the cover page, and pages 8 and 9 of document is attached as **Exhibit A**. The control diagnostic and monitor subsystem was

to control various system aspects, including system reset, without the use of physical switches.

b. By at least January 1996, I, Karl Johnson, had conceived of using a network of microcontrollers as the monitoring and control hardware of the subject invention. A document, entitled "Raptor Wire Service Architecture, Version 1.0" ("Wire Architecture"), was written at least as early as January 23, 1996, as evidenced by the document date. A copy of the cover page, pages 2-4, 7-8 and 20-25 of Wire Architecture is attached as **Exhibit B**. Page 2 describes a generic Wire Service message format utilized by the invention. Pages 3-4 describes a bit data type, a byte data type, and a string data type used for data transfer, while pages 7-8 describe an event data type for alerting external interfaces (such as the remote interface) of events in the Wire Service (microcontroller network). Wire Architecture also discloses a Wire Service Network Memory Map of all Wire Service (microcontroller network) addressable entities at pages 20-25 of the document. For example, page 22 of the Wire Architecture indicates several of the addressable entities associated with the server (an example of a first computer) power supplies. These entities include an analog measure of the voltage for the main power supplies and a power supply DC OK status which could be monitored by the Remote Interface microcontroller and/or passed on to the Recovery Manager at the client (an example of a second computer). These and other entities described at pages 22-23 may be utilized by the system reset operation.

c. The server power operations were documented in a specification entitled "Raptor Theory of Power On Operation, Version 1.0" ("Power Operation") , written at least as early as March 1, 1996, as evidenced by the document date. Wei Wu, employed by our employer NetFRAME Inc., prepared this document based upon information provided by me, Karl Johnson. A copy of the cover and pages 1-5 of Power Operation is attached as **Exhibit C**. Page 1 shows a block diagram of the relationship between Wire Service, the System hardware, the BIOS, the Operation system, and the Application. Page 1 also describes that Wire Service resets the system, and discusses BIOS operations, including cold start and warm start.

d. By at least April 1996, I, Karl Johnson had conceived of an architecture for the remote interface module. The remote interface module may be incorporated in or on the

server enclosure. The remote interface communicates with the server microcontroller network and with external computers via a RS-232 port, for example. The remote interface also provides remote power from a remote interface power supply that is independent of the server power supply. A schematic, entitled "Schematic of Raptor Remote Board, Revision 01", was drawn at least as early as April 1, 1996, as evidenced by the document date. A copy of sheets 1 of 2 and 2 of 2 of the schematic is attached as **Exhibit D**. A remote interface microcontroller (PIC16C65), memory and RS-232 interface are shown on sheet 1. The top left portion of sheet 2 generates the independent power. The independent remote interface power supply is not shown but connects to connector J2 on pins 1 and 2. A RJ45 connector P1 (also on sheet 2) provides an interconnection point between the remote interface microcontroller and the server microcontroller network.

e. The architecture for the remote interface was documented in a specification entitled "Remote Interface Board Specification, Revision 2" ("RIB Specification"), written at least as early as June 21, 1996, as evidenced by the document date. A copy of the RIB Specification is attached as **Exhibit E**. The RIB Specification recites at page 3 that the RIB is an interface between Raptor Wire Services (the microcontroller network) and an external modem. The system status and commands are passed through the RS232 connection at the modem side to the Wire Services bus controlled through the on-board microcontroller.

f. By at least October 1996, we developed a revised version of the architecture for the network of microcontrollers. A document, entitled "Raptor Wire Service Architecture, Version 1.3" ("Wire Architecture"), was written at least as early as October 3, 1996, as evidenced by the document date. A copy of the cover and pages 1, 10 and 36-37 of Wire Architecture is attached as **Exhibit F**. Page 1 has a Wire Services hardware block diagram which shows how the remote interface connects with the microcontroller network so as to obtain system status and control various entities. Page 10 describes the event data type for alerting external interfaces of events in the microcontroller network. The event data type were revised since the earlier version of the document. Pages 36-37 describe the Wire Service Remote Serial protocol used to communicate microcontroller network messages across a serial link from the remote interface microcontroller attached to the server to a Wire Service remote management processor at the second computer.

g. A schematic, entitled "Schematic of P6 Mother Board, Revision 54", was written at least as early as October 24, 1996, as evidenced by the document date. A copy of sheet 42 of 60 for the Speed Fan Controller section is attached as **Exhibit G**. This section includes the server end of the RJ45 connector (labeled P13) which interconnects the microcontroller network with the remote interface. The RJ45 connector also receives the independent power at pin 5 from the remote interface. Pin 5 of the P13 connector then feeds a diode D15, the output of which is the Bias_5V (independent) power for the server.

h. By at least May 1997, we developed a revised version of the architecture for the remote interface. A schematic, entitled "Schematic of Raptor Remote Board, Revision 50", was drawn at least as early as May 6, 1997. A copy of sheets 1 of 2 and 2 of 2 is attached as **Exhibit H.**

i. By at least May 13, 1997, which is the filing date of a provisional patent application for the subject matter, I, Ahmad Nouri had written a document entitled "Maestro Recovery Manager Analysis - Problem Statement". This document was included as a portion of the provisional patent application filed on May 13, 1997. A copy of pages 1-3 of the document is attached as **Exhibit I**. The Maestro Recovery Manager provides a user-friendly graphical user interface for controlling and receiving information from the microcontrollers and the microcontroller network. The reset operation is initiated by use of the Maestro Recovery Manager as described on page 3 of the document.

5. I, Karl S. Johnson, am listed as an inventor on a provisional Patent Application No. 60/046,397, filed May 13, 1997, which is a priority application for the subject application. I, Ahmad Nouri, am listed as the inventor on a provisional Patent Application No. 60/046,326, filed May 13, 1997, which is a priority application for the subject application.

6. We are the listed inventors on the subject regular patent applications filed on October 1, 1997.

7. All acts leading to the reduction of practice were performed in the United States.

8. This declaration is submitted prior to a final rejection.

Penalty of Perjury Statement

We declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent resulting therefrom.

Dated: Apr 27, 1999 By: _____
Ahmad Nouri

Dated: _____ By: _____
Karl S. Johnson

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